

**IN THE UNITED STATES OF DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA**

RONNIE PETTWAY,

Plaintiff,

v.

FLOYD JAMAL PETTWAY, *et al.*,

Defendants.

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Case No.: 1:22-cv-00371-N

MOTION FOR ENTRY OF DEFAULT AND DEFAULT JUDGMENT

COMES NOW, the Plaintiff, RONNIE PETTWAY, by and through undersigned counsel and pursuant to Fed R C P 55(b)(2) moves this Court for an entry of default and default judgment against Defendants Officer Floyd Jamal Pettway, Officer Tabitha Lamar, Officer Rodrick Sheldon, Officer Lee Pierce, Officer Rodney Greenley, Lawrence L. Battiste, IV, Chief of Police, City of Mobile, Mayor William S. Stimpson, and Sargent John C. Young. In support thereof, the Plaintiff states as follows:

1. Defendant Officer Floyd Jamal Pettway was served a copy of the Summons and Complaint on September 29, 2022, by USPS certified mail (Doc. 10).
2. Defendant Officer Tabitha Lamar was served a copy of the Summons and Complaint on September 29, 2022, by USPS certified mail (Doc. 10).
3. Defendant Officer Rodrick Sheldon was served a copy of the Summons and Complaint on September 29, 2022, by USPS certified mail (Doc. 10).
4. Defendant Officer Lee Pierce was served a copy of the Summons and Complaint on September 29, 2022, by USPS certified mail (Doc.10).
5. Defendant Officer Rodney Greenley was served a copy of the Summons and Complaint on September 29, 2022, by USPS certified mail (Doc. 10).
6. Defendant Lawrence L. Battiste, IV, Chief of Police was served a copy of the Summons and Complaint on September 28, 2022, by USPS certified mail (Doc. 10).

7. Defendant City of Mobile c/o City Clerk was served a copy of the Summons and Complaint on September 29, 2022, by USPS certified mail (Doc. 10).
8. Defendant Mayor William S. Stimpson was served a copy of the Summons and Complaint on October 03, 2022, by USPS certified mail (Doc.10).
9. Defendant Sargent John C. Young was served a copy of the Summons and Complaint on September 28, 2022, by USPS certified mail (Doc. 10).
10. More than thirty (30) days have elapsed since the date of which said Defendants were served with a Summons and a copy of the Complaint.
11. Defendants have failed to file an answer or other defense which they might have upon Plaintiff.

RELIEF

12. Based on the relief sought by the Plaintiff in its complaint, the Plaintiff requests that the court enter a judgment to reflect the following relief:

a. Compensatory and Punitive Damages

- Due to the malicious prosecution and other actions of said Defendants, the Plaintiff seeks judgment against Defendants, jointly and severally, in an amount in excess of One Million (\$1,000,000) Dollars compensatory and punitive damages.

b. Attorney Fees

- That pursuant to Fed R C P § 54 (c) that the Plaintiff be awarded attorneys' fees and costs.

c. Other Relief

- That any other appropriate relief as this Honorable Court deems just and proper be ordered.

WHEREFORE, the Plaintiff respectfully requests that this Court grant this motion and enter a default judgment against the Defendants pursuant to FRCP 55, and for any such other, further or different relief for which he may be entitled, premises considered.

Respectfully Submitted,

/s/James Adam Muns

James Adam Muns

(Bar: 1785N23W)

/s/Christine C. Hernandez

Christine C. Hernandez

(Bar: 8252I64H)

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CERTIFICATE OF SERVICE

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Officer Lee Pierce
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Officer Rodney Greenley, Commander
Precinct Four
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c/o City Clerk
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